The Daily Courant.

No. 9180.

Saturday, March 13, 1731.

Continuation of the Arret *of the Parliament of* Paris *againſt the Biſhop of* Laon's *MANDATE, begun in a former* Courant.

'RELIGION, being deſign'd to humble Mens Minds, and to turn their Hearts, is of a ſupernatural Order, and conducts Men by a Power, which acting upon their Souls, is called *Spiritual*. At the ſame time, according to the Inſtitution of Jeſus Chriſt, it forms the viſible Society of the Church: A Church, which, upon the Faith of the Divine Oracles, is to ſubſiſt viſibly till the End of the World, and whoſe OEconomy and Government ought in Conſequence to be viſible alſo in all After-Ages.

'The Temporal Government, founded upon God's Inſtitution, but conducted by Humane Methods, has for its Object the Exterior Order of Society, which alone is in the Power of Men; and makes uſe of the Humane Means of Publick Authority, Coercive Power, the Severity of Temporal Puniſhments; in ſhort, of every thing that can be reckoned among the Attributes of a Power truly Exterior. Whilſt it defends, by its Arms, the Body of the State againſt the Enemies that may attack it from Without, it maintains that ſame Body Within, by the Lawful Empire which it exerciſes over the Citizens. It joins to the Authority of the Law, the Execution forced independently on the Will of the Subjects, and ſubdues by an effectual Conſtraint thoſe who reſiſt its Authority.

'The Exerciſe of this Exterior Empire of the Laws, the Application of their Power to the Subjects, by the Magiſtrates arm'd with the neceſſary Means to force them to obey, is what we call in the Terms of the Law, *Juriſdiction*. This is the preciſe Idea which the Lawyers and the Laws give us of it. The Juriſdiction is full and entire, when the Power of Judging is cloathed with all the Force of Publick Power. But without ſome Participation, at leaſt, of this Coercive Force to the Exterior, it is not a true Juriſdiction. *Juriſdictio ſine modico coercitione nulla eſt*, ſays the Law, *Digeſt.* 5. *de officio ejus cui mandata eſt Juriſdictio.* And Interpreters give us, for Inſtance of that Coercion which the Law ſpeaks of, Chaſtiſements that affect the Body, ſuch as Impriſonment, and the Impoſition of Pecuniary Mulcts.

'Thus, according to the Laws and the Lawyers, it may be ſaid, that Juriſdiction, taken in its proper and natural Senſe, is an Attribute of the Temporal Government, becauſe it carries an Exterior Conſtraint, and a Force which it has the ſole Right of employing.

'It is equally true, that the Church has, of herſelf, another ſort of real Power and Authority, to examine and decide Spiritual Matters; that ſhe has a Right to impoſe Penalties of the ſame Nature, and to exclude from her Body ſuch as refuſe to ſubmit to them; that it appertains to her to exerciſe this Power not only under the Seal of Confeſſion in the Secret Tribunal of Penance, but alſo openly and in a viſible Manner, upon the Knowledge ſhe may have of the Facts. But even when ſhe makes her Judgments to be thus known and feared, it is without breaking into the Publick Order, and without acting Outwardly with the Empire reſerved for the other Power. She has received from Jeſus Chriſt the Spiritual Power of binding and looſing, of condemning and abſolving, of making Laws, and diſpenſing with them; but not of exerciſing like things.

'Hence the moſt judicious Writers have obſerved, that in the Laws of the firſt Chriſtian Emperors, the Title which treats of Eccleſiaſtical Judgments, is not called, *Of Epiſcopal Juriſdiction*, *De Epiſcopali Juriſdictione*, but *De Epiſcopali Audientia*, in Juſtinian's *Code*; *De Epiſcopali Judicio*, in that of Theodoſius; Expreſſions which bear a very different Senſe from that of the proper Term of *Juriſdiction* in the Roman Law.

'However, though the Religious Confidence of thoſe Princes did ſince grant the Biſhops ſome Prerogatives, which of themſelves were not comprized in what belongs to the Spirituality; yet they ſtill kept up the Difference of Names, which characterizes the eſſential Difference between the indiſputable Power of the Church, and the true Juriſdiction which belongs to the Temporal Magiſtrate. But thoſe Prerogatives being afterwards enlarged and confirm'd, they borrow'd the Terms uſed in the Secular Tribunals, and accuſtomed themſelves to make uſe of the Word *Juriſdiction*, ſpeaking of ſome Acts which the Powers of the Church exerciſe. In a word, what with the expreſs Conceſſion, what with the tacit Conſent of the Princes, ſeveral of thoſe Acts do at this Day participate of the Character of Exterior Juriſdiction properly ſo called.

'But it is to abuſe this Advantage, to ſay, as the *Mandate* does, that *the Foundation of the Exterior and Contentious Juriſdiction is the proper Inheritance of the Church*; to inſinuate, that in this reſpect, the Effect of the Power of our Kings is reduced either *to certain Rules and to certain Forms*, to which *they have been pleaſed* —— *to ſubject the Biſhops and Archbiſhops of the Kingdom*, —— *in the Exerciſe of their Juriſdiction*; or to the bare *Protection* —— *granted* by them *to the Church, for the Execution*, it is not ſaid only *of her Cenſures*, but in general even *of her Judgments*; to require, in ſhort, the Acknowledgment of a Character of *Publick Exterior Power* in the Authority which is *proper* to the *Prelates of the firſt Order* —— *in the Government of the Church*; as if the Publick Power were any thing elſe than the Temporal Power upon which Publick Order depends. To talk in this manner, without ſo much as a Salvo or Explanation, is to confound the trueſt Notions concerning the Diſtinction between the Two Powers, and to ſpread ſuch a Miſt over them, that it is impoſſible to diſcern their very Principles.

[*To be continued.*]

Moſcow, Feb. 16. N. S. On the 12th, our Court received an Expreſs from Conſtantinople, with Letters from M. Nepluef, the Czarina's Reſident at the Ottoman Porte, containing in Subſtance, "That having had "an Audience of the Grand Vizier, that "Miniſter declared to him, that the Baſhaw "ſent by the Grand Seignior to Moſcow, in "quality of Ambaſſador, was charged to "give her Czarian Majeſty the Title of Em"preſs; to aſſure her in the ſtrongeſt Terms "of a ſincere Friendſhip on the part of his "Highneſs; and to renew the Treaties "which ſubſiſt between the Two Empires, "without making any Mention of the Af"fairs of Perſia; and deſired him to com"municate this Declaration to his Court by "by an Expreſs." The Czarina has ſent Orders to General Schwerin, who commands in the Ukraine, to pay that Baſhaw the uſual Honours upon his Entrance of the Ruſſian Territories, and to ſend him a Guard of 100 Coſſacks to attend him to Moſcow, under the Command of an Officer of Diſtinction. The Apartments in the Summer Palace at Petersburg, and thoſe of Peterſhoff, are fitting up; her Czarian Majeſty purpoſing to go thither ſome time in April next.

Copenhagen, March 6. N. S. Two Days ago, Publick Notice was given with the uſual Ceremonies, that To-morrow will be open'd the King's High Tribunal, wherein his Majeſty is to preſide for the firſt time ſince his Acceſſion to the Throne. We have received Advice of the Death of the Count de Schell, at his Seat in Jutland, whereby a Regiment of Horſe is become vacant. M. Rantzau, Counſellor of Conference, is ſet out for Holſtein. Major General Bardenfleth is upon the Point of his Departure for Altena, to get ready the Accoutrements for the Horſe Guards, which are to be new cloathed againſt the King's Coronation. The Nobility are likewiſe making magnificent Liveries, to appear with Luſtre upon that Day. An Ordinance of the King has been ſent to Norway, concerning the Mines in that Kingdom: It contains in Subſtance, 'That 'for the future no Foreigner ſhall be permitted to concern himſelf directly or indirectly with the ſaid Mines: That the Natural-born Subjects who have any Property 'in the Iron or Copper Mines, ſhall be obliged 'to deliver in an Account of the ſaid Mines, 'every three Months, to the Inſpectors General, that the King's Rights may not be 'prejudiced: And that all who are employ'd 'therein, ſhall take an Oath in Form pre'ſcribed to them, &c.' Two Days ago, Divine Service was performed in the Reformed Church newly rebuilt, for the firſt time.

Hamburgh, March 9. N. S. Our laſt Letters from Stockholm adviſe, that the States of the Kingdom uſe great Application in the Diſpatch of the Publick Affairs, that they may bring their Seſſion to a Concluſion ſome time next Month; that the General Count de Meyerfeldt, Governor of Pomerania, would ſtay there during the Sitting of the Dyet; and that the Count de Guldenſtern was preparing to ſet out for London, to be be cut for the Stone. They write from Hanover, that upon the 4th Inſtant, two Couriers arrived there from London, who immediately proceeded, one for Vienna, and the other to the North. Letters from Dreſden adviſe, that they had received Orders from the King to ſend ſome Jewels to Warſaw, which his Majeſty deſigns to preſent to the Ambaſſador of the Ottoman Porte.

Dartmouth, March 9. Not any News ſince my laſt, only this Day ſailed the Sarah, of this Place, Woolcot, for Newfoundland.

Pool, March 10. Yeſterday arrived the Sarah, Reekes, in three Weeks, from South Carolina.

Cowes, March 10. The 8th came in the Robinſon Cruſoe, of and from Liverpool, Jenkinſon, from Bremen, with Rice, Sugar, Ginger, &c. and ſailed this Day.

Briſtol, March 10. Yeſterday here arrived the Lark, Parker, in 8 Weeks from Jamaica; ſhe came out in Company with the Dutcheſs of Portland, and the Sarah, both of and for this Port; the Flying Fiſh, of and for London, came out with the Roebuck, as adviſed of laſt Poſt.

Deal, March 11. Yeſterday ſailed the Batchelor, for North Bergen, and the Catherine, for Diep, all the others ſtill remain; and Yeſterday came down the Stretham, Weſtcot, the Ockham, Jobſon, both for the Eaſt Indies; the Martha, Hancock, for Antigua. Yeſterday arrived the Roſe, Bennet, from Oporto. This Day arrived the Elizabeth Galley, Lee, from Carolina, who met the Dove, of Biddeford, Capt. Trip, in Lat. 41, and 18 m. North, and 210 Leagues Weſt

Westward of the Land's End. Wind variable.

LONDON.

The unhappy Youth that had the Misfortune to kill his Schoolfellow at Eaton, as mention'd in one of our former, was said to have been Speechless, and at the Point of Death, in a Paper of Yesterday; we are well assured that the same is without Foundation, he being very well, was brought to Town on Thursday last, and admitted to Bail, in order to take his Tryal at the next Sessions at the Old Bailey.

Yesterday the Rev. Dr Clagget, Dean of Rochester, preached before her Majesty, his Royal Highness the Prince of Wales, his Royal Highness the Duke, and all the Princesses, in the Chappel Royal at St. James's.

This Day the King and Queen, with several of the Royal Family, will take the Air at Richmond, and return to St. James's in the Evening.

We hear that an Order has passed his Majesty's Board of Works, for rebuilding the Royal Stables at St. James's, which will be taken down, and finish'd with all Expedition, soon after the Court's Departure into the Country for the Summer Season.

Yesterday a Regimental Court Martial was held at the Tilt Yard, Whitehall, on several private Centinels of the Third Regiment of Foot Guards in the Savoy; two particularly for Desertion, and others for Neglect of Duty, &c.

The same Day one Shaw stood in the Pillory at the End of Fetter Lane, pursuant to his Sentence at Hicks's Hall, for fraudulently taking up Goods of several Persons and going off with them; he being known to be an old Offender, was severely treated by the Populace.

Yesterday Morning one Thomas Bone, a Carter belonging to Mrs. Ram of Brumpton, coming to Town with some Trees in his Cart, had the Misfortune to have another Cart run against him, which flung him out, by which he broke his Leg.

On Thursday the Treasure that lately came from Holland for the East India Company's Ships Outward-bound, was put on board the said Company's Yacht, for their Ships in the Downs; and this Day they will all be dispatch'd, to proceed on their respective Voyages.

The Rt. Hon. the Earl of Essex is making great Preparation for his Embassy to the Court of Turin; and 'tis said he will depart the Beginning of next Month.

Yesterday at Noon a Cabinet Council was held at St. James's on Special Affairs.

The diverting Entertainments at Sadler's Wells will begin on Monday next, the 15th Instant, and continue all the Summer Season as usual, (Wednesdays and Fridays in Lent excepted.)

EDINBURGH, March 5.

Tuesday last being the appointed Day for the annual Election of Governor, Deputy Governor and Directors of the Royal Bank of Scotland, the following were then chosen, viz. the Right Honourable the Earl of Ilay Governor, and Sir Hugh Dalrymple, Lord President, Deputy Governor.

Directors, Ordinary.

Lord Milton and Lord Monzie,
George Drummond, Richard Dodeswell and John Phillip, Esqrs;
Hugh Somervel and George Irving, Writers to the Signet,
James Nimino and William Alexander, Merchants.

Extraordinary Directors.

Matthew Lant, Esq; Lord [illegible]
Lord Drumore,
Charles Master of Cathcart,
George Master of Ross,
Mr, Charles Areskin, Solicitor,
Patrick Crawford, jun. Merchant,
Jos. Hamilton, Writer to the Signet,
Beaumont Hotham, Esq;
James Craig, Writer to the Signet.

Stirling, March 3. Yesterday at the Quarter Sessions held here, the Justices had before them one William Cowan, a Merchant in this Town, and an old Offender, for exporting Serges that were neither made nor stampt according to Law; and it being clearly proven that 15 Pieces and a half of Serges were seized by James Christie belonging to the said Cowan, that fell under the Act of Parliament, the Goods were confiscated, and he fined 15 l. 10 s. Sterling; he having shut his Doors so as the Constables could not have Access to poind and distress his Goods for the said Fine, the Justices on the Constables Report committed Cowan Prisoner to the Talbooth of Sterling, and ordained him therein to remain three Months, or till he pay the said Fine.

Yesterday South Sea Stock 102 5 8ths. 102 7 8ths. South Sea Annuity 108 3 8ths. 108 1 half. South Sea Bonds 5 l. 13 s. Bank 147 to 1 4th. Bank Circulation 6 l. 5 s. Million Bank 110 1 half. India 196 196 3 4ths. 197. India Bonds 5 l. 18 s. Royal Assurance 97. London Assurance 12 5 8ths to 3 4ths. African 52 to 53. York Buildings 25 3 4ths. Three per Cent. Annuity 95 3 4ths. English Copper 3 l. Welch Copper 2 l. 16 s.

AT the KING's THEATRE in the Hay-market, this present Saturday, being the 13th Day of March, will be performed, a New Opera, call'd,

P O R U S.

Pit and Boxes to be put together, and no Persons to be admitted without Tickets, which will be deliver'd out this Day, at the Office in the Hay-market, a Half a Guinea each.

GALLERY 5 s.

The Scenes and Cloaths are all intirely new.

N. B. By His MAJESTY's Command, No Persons whatever can be admitted behind the Scenes.

To be LETT *or* SOLD,

At Great Chelsea, fronting the River of Thames, near Salter's *Coffee House, (with the Furniture or without)*

A Large fashionably strong-built HOUSE, compleatly fitted, with a large Garden, a Green-house, a Brew-house compleat, with Coach-houses and Stables, and all other Conveniencies. Enquire at the said Coffee House.

This Day are published, [Price Four Pence]

Some Thoughts on the WOOLLEN MANUFACTURES of England. In a Letter from a Clothier to a Member of Parliament. Printed for J. Roberts in Warwick-lane.

This Day is publish'd,

An Answer to the Postscript of the Second Part of Scripture Vindicated; wherein is shewn, that if REASON be not a sufficient Guide in Matters of Religion, the Bulk of Mankind, for 4000 Years, had no Sufficient Guide at all in Matters of Religion. Printed for J. and J. Knapton at the Crown in St. Paul's Church-Yard. Price 6 d.

Where may be had,

An Answer to the Remarks on Dr. Clarke's Exposition of the Church Catechism. price 1 s.

A Defence of the Answer to the Remarks, &c. Being a Reply to a Pamphlet entitled, *The Nature, Obligation, and Efficacy of the Sacrament consider'd.* price 1 s.

The True Foundations of Natural and Revealed Religion asserted. Being a Reply to the Supplement to the Treatise entitled, *The Nature, Obligation, &c. of the Christian Sacrament,* price 1 s.

This Day is publish'd

An INQUIRY into the Customary Estates and Tenant-Rights of those who Hold Lands of Church and other Foundations, by the Tenure of Three Lives, and 21 Years. With some Considerations for restraining excessive Fines.

Printed for J. Roberts in Warwick-lane. price 1 s. 6 d.

This Day is published

A Treatise of BOOK-KEEPING: Or, Merchants Accounts, in the Italian Method of Debtor and Creditor. Wherein the Fundamental Principles of that curious and approved Method are clearly and fully explained and demonstrated, from the Nature and Reason of Things: From which again is deduced a complete System of particular Rules, and Instructions for their Application to a Merchant's Business, considered as acting either for his own proper Account; or in Commission, as Factor for another; or as concerned in Company. The Whole illustrated and exemplified with two Sets of Books, containing great Variety of Practice in all those Branches of Business. To which are added, Instructions for Gentlemen of Land-Estates, and their Stewards or Factors: With Directions also for Retailers, and other more private Persons. By ALEXANDER MALCOLM, A. M. Teacher of the Mathematicks at Aberdeen. Printed for J. Osborn and T. Longman in Pater-noster-Row, and F. Fayram and E. Symon at the Royal Exchange.

Where may be had,

I. A new System of Arithmetick, Theorical and Practical. Wherein the Science of Numbers is demonstrated in a regular Course from its First Principles, through all the Parts and Branches thereof, either known to the Ancients, or owing to the Improvements of the Moderns. The Practice and Application to the Affairs of Life and Commerce being also fully explained, so as to make the Whole a complete System of Theory, for the Purposes of Men of Science, and of Practice for Men of Business

II. A Treatise of Musick, Speculative, Practical and Historical; containing an Explanation of the Philosophical and Rational Grounds and Principles thereof; the Nature and Office of the Scale of Musick; the whole Art of writing Notes; and the general Rules of Composition. With a particular Account of the Ancient Musick, and a Comparison thereof with the Modern. Both by the same Author.

Lately publish'd,

The Twenty Sixth Edition (*printed with a much larger Character, and on better Paper, than any of the former*) of,

A Plain Method of Christian Devotion laid down in Discourses, Meditations, and Prayers, fitted to the various Occasions of a Religious Life. Translated and Revised from the *French* of M. JURIEU, by the Rt. Rev. Dr. FLEETWOOD, late Bishop of *Ely*.

The Fame and Reputation of its Author, with the Multitude of its Editions, may recommend the Purchasing this Book to them that otherwise know it not; but the good Spirit it is written withal, has made it dear and valuable to them that do; and the good Grace of God, I hope, will make it serviceable to all that meet with it. W. FLEETWOOD.

Printed for J. *Walthoe* over-against the Royal-Exchange in Cornhill.

For whom also were lately printed,

1. A CONFERENCE upon the MIRACLES of our Blessed Saviour: Wherein all the Objections against them proposed in Mr. WOOLSTON's six *Discourses*, and several other greater Difficulties, are fully stated and consider'd; and the Truth of the Christian Religion is evidently proved. By WILLIAM STEVENSON, M. A. Prebendary of *Sarum*, and Rector of *Colwal* in *Herefordshire*.

2. Dialogues concerning ELOQUENCE in general, and particularly that kind which is fit for the Pulpit. By M. FENELON, late Archbishop of Cambray. With his Letter to the French Academy concerning Rhetorick, Poetry, History, and a Comparison betwixt the Ancients and Moderns. Translated from the French, and illustrated with Notes By W. STEVENSON, M. A.

3. Mr. STEVENSON's SERMON preach'd in the Cathedral of Hereford, Sept. 12, 1728, at the Triennial Visitation of the Lord Bishop of Hereford.

4. Dr. NICHOLS's Conference with a Theist, containing an Answer to all the most usual Objections of the Infidels against the Christian Religion. The 3d Edition, with large Additions.

5. Dr. RYMER's General Representation of Revealed Religion; in which the chief Prejudices that have been entertained against it, are examined.

6. Dr. RYMER's Commencement SERMON at Cambridge, July 3. 1726.

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